



CEDR Accreditation: 1996  
 CEDR Panel Admission: 1998  
 Languages: English  
 Location: United Kingdom

## Tony Allen

*"...effectively works his way through seemingly irresolvable disputes."*

Chambers & Partners Guide to the Legal Profession

### Overview

Tony Allen has handled well over 300 mediations during his career and is regarded as a pioneer in mediating and developing mediation for personal injury, clinical negligence, professional indemnity and insurance claims in which he is widely regarded as pre-eminent, sectors in which he has come to specialise. He has also experience in the really challenging area of right-to-life and treatment choice mediation. He has also been praised for his work on commercial claims where over the last twenty years he has worked on disputes in a range of sectors, particularly travel, banking, construction, partnerships and property. Disputes involving public law and judicial review, claims against the police and prison services, abuse of minors and adults with health and learning difficulties still form part of Tony's impressive practice.

Many of Tony's cases have involved international parties, particularly commercial travel disputes, and he has mediated in Scotland, Northern Ireland, Ireland and South Africa. Tony is also highly regarded for his work on workplace stress claims. He has designed and mediated several high profile group litigation claims.

### Professional Background

Tony was a full-time CEDR Director for 11 years, having previously been Dispute Resolution head in a Sussex solicitors' firm for over 25 years, where he represented many clients at mediations. He is now a self-employed mediator and trainer.

An experienced member of the Court of Appeal Mediation Scheme panel, Tony also trains mediators internationally and writes extensively on ADR and civil procedure. His book *Mediation Law and Civil Practice* was published by Bloomsbury Professional in September 2013, reviewed as "essential knowledge for anyone involved in mediations in the UK or in any country that follows UK practice." Its second edition is due out at the end of 2018. His second book, *Mediating clinical claims*, was published by Bloomsbury Professional in early 2018. In 2010, he was awarded the Lord Slynn Memorial Prize for his contribution to the development of mediation in the UK. He combines his

career as a mediator with training for CEDR, which has taken him all around the UK, Europe, the Middle and Far East, Africa and the USA.

### Expertise

- NHS & Healthcare
- Personal Injury
- Professional Negligence
- Employment & Workplace
- Insurance
- Public Sector
- Trusts, Wills & Probate
- Partnership & Shareholder
- Property
- Commercial Contracts
- Sale of Goods & Services
- Banking & Finance

### Dispute Experience

*Tony's long legal career and his experience in training commercial mediators make mediations in this sector familiar territory. His mediations include:*

#### NHS & Healthcare and Personal Injury

Tony is an expert in the field of personal injury, clinical negligence and related professional indemnity claims and has mediated over 200 such cases. Nearly 90% of these settle on or shortly after the mediation day. These cases have ranged from telephone mediations of fast-track claims for schemes devised by him for insurance companies to multi-million pound injury and dependency claims and group litigation cases.

Tony has been recognised as a UK market leader in these sectors for nearly twenty years, having been one of the first mediators in the UK to mediate such cases. Tony was one of the mediators in the NHS Pilot mediation scheme in 1997-8. When in private practice he encouraged both claimant and defendant clients in such cases to use mediation for the first time, and became a very effective advocate for clients within mediation. He has experience of the heaviest catastrophic cases, and is at ease with complex schedules and expert reports, future loss calculations, periodical payments, provisional damages cases, and with medico-legal issues. Most importantly he recognises the need for the parties themselves (whether claimant or defendant) to derive benefit from engagement in the process, whether to assuage strong feelings about having been injured or (in the case of clinicians) about being the subject of professional criticism, whether or not justified. He is used to exploring the possibility of finding imaginative solutions to claims in terms of both process and also of outcomes beyond what the courts can deliver. He is very effective in accommodating the inevitably high levels of emotion which underpin such claims, and to ensuring that the experience of

mediation is both bearable and constructive. He enables parties to communicate openly and honestly and to seek out ways forward that transcend the payment of compensation. He is used to designing the process for, and mediating, claims both with multiple claimants and also multiple defendants.

### NHS & Healthcare

- Tony has mediated “right-to-life” cases where hospitals feel that further treatment of an infant patient cannot be justified as being in the child’s best interests, but the family will not accept that position and seek continuing or alternative care and treatment. A child now aged 9 suffered birth hypoxia and cerebral palsy as a result of Party B's admitted negligence. His mother brought proceedings on his behalf for damages and on her own behalf for psychological injury as secondary victim. Settled shortly after a day’s mediation
- A claim arising out of birth hypoxia in a boy now aged 9 was settled at a mediation lasting just over two hours for an agreed (discounted) percentage of quantum of the boy claim, with the mother’s claim for psychological damages settled at the same percentage discount at the mediation.
- X was C1 and C2's 1 year old son. He developed chicken-pox in early 2011 but also an underlying pneumonia which D failed to spot on two A&E visits. X died, and C1 and C2 (who subsequently became estranged) sued as secondary victims for "nervous shock" sustained when they witnessed X's sudden death at home following attempts to resuscitate him made by C2's mother .
- A's wife W died of cervical cancer as a result of a misread cervical smear (the responsibility of Party B) leaving A and two children aged now 13 and 7. Breach of duty and causation admitted. Dispute over W's future income prospects and thus the value of the past and future dependency.
- A had been paraplegic since an accident in 1989 aged 25. He developed serious pressure sores in 2011 and alleged that these had been negligently treated by district nurses, requiring lengthy hospitalisation and surgical intervention twice, thus undermining him constitutionally. D denied liability up to mediation and argued contributory fault, no causation and intervening cause for the injuries through A's refusal to accept therapeutic advice.
- Claim by parents over the death of their second child at 1 day after a traumatic birth, plus damages for them for psychiatric injuries and also for physical injuries to mother, who suffered a hysterectomy. Liability admitted: quantum in dispute, including a defended claim

for the cost of surrogacy and costs arising from their impending divorce, attributed by them to the birth trauma

- C was represented by D2 in a PI claim which was settled in 2007 on the basis of D1's expert report at £56K + costs. His condition deteriorated and he sued D1 and D2 for the effect of under-settlement - i.e. the loss of a better outcome at the earlier notional trial.
- Party A claimed for lack of care and breach of Arts. 3 and 8 of the ECHR in relation to the care given by Party B to person aged 85 between 5 July and 3 Sept 2011.
- H claimed damages for clinical negligence against the local hospital in respect of the death of his wife over negligent surgery to her kidney/adrenal gland, causing her death by septicaemia. Claim for dependency for himself and son aged 5.
- B suffered serious back pain and consulted S who advised surgery. This required three operations in 7 days and left her with significant pain and disability. She alleged lack of informed consent and negligent performance of the surgery.
- Claimant's life expectancy was reduced to 55 years (he was then 10). Complications arise from the recovery by medical insurers from the liable parties' fund.
- A claimed damages for clinical negligence against B in respect of the death of his wife over negligent care and advice given to her in relation to cancer in her left leg which was said to have led to premature death rather than cure.
- Brought damages for the expense and loss of elective amputation of a painful, unsightly and largely functionless forearm when psychologically but not clinically required.
- Clinical cases involving heart surgery, anaesthetics, orthopaedic surgery, spinal injury developing while under clinical care, late diagnosis of cancer, birth injury (including cerebral palsy, gynaecological claims by mothers, and failure to identify and treat neonates appropriately), dentistry, paediatrics, gastric surgery, neurosurgery, plastic surgery, tropical medicine, psychiatry and general practice.
- A £2 million claim based on alleged failure to obtain informed consent to an orthopaedic procedure which gave rise to massive and life-threatening complications and involved a claim for very substantial business losses.
- The Retained Organs litigation. Tony consulted all parties over the design of the Alder Hey and National Organ Group Litigations combined mediation, and mediated quantum and costs in the National Organ Group Litigation action after judgment on liability.
- Dependency claims arising from deaths while in care of healthcare professionals, often involving painful but open and constructive encounters between family and clinicians,

explanations and apologies, reassurance of amended practice as well as compensation, often involving complex inheritance issues.

- A claim (mediated in Ireland) by the mother of a premature baby who lost her sight allegedly as the result of negligence by her paediatrician: settled in a day.
- A dependency claim by a family over the suicide of a father who was confronting both depression and alcoholism: settled in a day.
- A multi-million claim for catastrophic infant injury for a minor who transferred residency to the US, involving consideration of the effects of US healthcare reform, and the right approach for compensation and recovery of outlay where care might be funded by a US provider: settled in a day.
- A claim in South Africa for injury to a minor by a radiologist performing a barium X-ray which had proceeded for over 3 years: settled in 3 hours involving a rapprochement between family and doctor which had been prevented by the litigation.
- Claim by parents over the death of their second child at 1 day after a traumatic birth, plus damages for them for psychiatric injuries and also for physical injuries to mother, who suffered a hysterectomy. Liability admitted: quantum in dispute, including a defended claim for the cost of surrogacy and costs arising from their impending divorce, attributed by them to the birth trauma.
- A claim put at £23,000,000 in respect of a child who suffered retinopathy of prematurity. Settled after a day's mediation for a very substantial eight figure sum on a provisional damages basis (permitting review because of a risk of future total blindness) with periodical payments for future care and loss of earnings

### Personal Injury

- Claim against MoD, military barracks, for fatal mesothelioma contracted by plumber (father of claimants) working there as a sub-contractor in the 1970s.
- Two conjoined claims of total value £1,188,000 by passengers against car insurer arising out of fatal RTA.
- H claimed damages from his former employer, shipping international company, in respect of a shipboard accident in Indonesia in 2003. Liability was admitted: quantum only but very complex claim for £1 million.
- Court of Appeal mediation where the claimant lost at trial in a claim for injuries sustained in a traffic collision.

- Claims based on alleged negligence over carbon monoxide poisoning.
- Claims by Kenyan tribes people against the MoD in relation to injuries caused by unexploded ordnance after military training.
- Multi-party holiday food poisoning claims, including complex generic and individual costs issues.
- Multi-party claims arising from a chemical spillage causing allegedly widespread injury.
- A dependency claim for just under £12 million in respect of the death of a rail passenger; settled after 3 days mediation.
- A claim for just over £11 million in respect of a high earner catastrophically injured in a road accident: settled within 5 weeks of mediation.
- A claim by the joint managing director of a company on whose premises he sustained serious injuries but who had moved to the Far East for recuperation and a fresh start; settled in 8 hours.
- A claim in respect of injuries sustained by an Australian national whilst on a Danish oilrig in the South China Sea; claim later not proceeded with.
- A claim by a foreign national child against his father for dependency arising out of the death of his mother in an accident in Belgium: issues narrowed, leading to later settlement on terms available at the mediation.
- A claim by an English agent against a mining company for alleged breach of their duty of care in protecting him from receiving gunshot wounds when carrying out work for them in South America: settled in a day.
- Claims by a married couple against a holiday company and a foreign airline over a plane crash in Africa, involving Warsaw Convention and Package Holiday Regulation issues; issues narrowed and settled after the mediation on terms close to those which emerged at the mediation.
- A claim arising out of a road accident in Dubai.
- A claim arising from a catastrophic accident on an oil installation in Scotland, requiring mediation in Scotland between a Scottish pursuer and a multi-national company and its non-UK insurers: settled shortly before a further procedural appeal three weeks after the mediation for a substantial seven-figure sum which had emerged at the mediation.
- Claims by eight adult former pupils against the Governors of a school in respect of proven abuse inflicted on them by a former headmaster when children of up to 13 years; settled in a day's mediation.

- A claim in England for lost earnings as a miner in Australia as a result of an English workplace accident, the mediation being conducted with the claimant on Skype.
- A number of illness claims arising out of holiday travel.

### Professional Negligence / Professional Indemnity Claims

Tony is well respected for his experience in the professional indemnity field. Inevitably he is in demand for dealing with claims alleging negligence in the conduct of personal injury and clinical negligence claims.

- A claim by a client against a solicitor for over £200,000 for alleged breach in complying with an undertaking over the delivery of a debt; settled at a day's mediation.
- A claim against solicitors and barristers for negligent conduct of a criminal defence as a result of which the claimant was imprisoned until successful appeal; settled two days after a day's mediation.
- A claim against solicitors for negligently failing to check planning restrictions when acting on a commercial conveyancing transaction; settled at a day's mediation.
- A claim for over £300,000 against former solicitors for failing to protect their client over a property fraud; settled soon after mediation.
- Claims against psychiatrists for alleged negligence over patient suicide.
- Alleged solicitor's negligence arising during an appeal mediation.
- A claim for omitting a bequest of the main estate asset (a house) to the daughter of the deceased testator.

### Public Sector

Having developed training schemes for lawyers in government, Tony has considerable understanding of the particular dimensions of disputes in the public law arena.

- Significant claims against police forces arising out of deaths in custody, fatal road accidents, stress and vicariously for a sexual assault by one officer on a female officer (plus claims for malicious prosecution on a murder charge, false imprisonment and harassment).

- A claim arising out of a serious assault on a Category A prisoner by other prisoners – the mediation was conducted in a high security prison; settled at a day's mediation.
- Disputes within judicial review proceedings between local authorities and Primary Care Trusts with different families over statutory obligations regarding the nature and cost of care provision, including the negotiation of the terms of user independent trusts, at which agreed terms were developed.
- Disputes between a tribunal and persons wrongly named in its published report, giving rise to the risk of community reprisals, and consequent compensation; settled after a day's mediation.
- A dispute between a regulator and a supervised services supplier over alleged unequal treatment between supervisees, requiring detailed understanding and application of the statutory provisions of the regulatory scheme involved; settled.
- A claim by an asylum-seeker in respect of a forcible deportation, involving injury compensation alleged breach of human rights and a negotiated extension of a temporary right to remain.
- Claims by minor asylum-seekers found to have been wrongfully detained in secure centres for adults.
- Several disputes between care home providers and local authorities over financial arrangements.
- A claim by an asylum-seeker over an official's allegedly improper handling of her application.
- Judicial review sought against the Local Government Ombudsman over its maladministration review of its de-selection by a local authority; settled at mediation.

### Employment & Workplace

- A dispute between a large travel company and former employees over alleged breach of covenant in restraint of trade and breach of confidence.
- Effective intervention in a dysfunctional working relationship between two senior academic executives, who had found it difficult to communicate over many months, resulting in a high degree of harmony between them: no proceedings: settled in a day and reviewed in succeeding months.
- A number of workplace stress claims, including mediations involving police officers, senior insurance company executives, and school-teachers; mostly settled on the mediation day.



- A dispute between a consultant surgeon and an NHS Trust over the terms of his return to work following protracted suspension and disciplinary proceedings; issues narrowed but overtaken by events before settlement agreed after a mediation over 2 days.
- Cases involving undercover operatives and alleged breaches of their terms of employment by public law enforcement agencies; details confidential, but settled before trial.
- A claim by a senior employee of a multi-national company disciplined for misconduct alleging stress as a result of a mishandled disciplinary process, and seeking reinstatement in a previous job and compensation; settled in a day.

### Insurance

- Claims where an owner of a business was in effect suing his own company (and thus its insurer) for substantial compensation; settled in a day's mediation.
- A dispute between major insurers and credit hirer providers.

### Partnership & Shareholder

- A dispute over a multi-million pound share sale agreement in which a US purchaser company alleged corrupt payments made by an employee and condoned by the UK vendor, who was dismissed and then counterclaimed for non-payment of sums due and wrongful dismissal; adjourned pending a criminal court hearing and later settled once criminal proceedings were dropped.
- A dispute over the implementation of the terms of a dissolution of a partnership; settled shortly after a day's mediation.
- Dispute between dentists requiring dissolution of their partnership and asset division; settled after a day's mediation.
- Post-dissolution dispute between accountants involving allegations of fraud and misrepresentation, requiring re-negotiated terms; settled at a day's mediation
- A dispute between a retiring and continuing solicitor in partnership over terms of retirement and the validity of a termination notice.
- A dispute between shareholders in a clinic where the business was doing well but trust had apparently broken down between several directors and shareholders; after discussing how to continue, the sale of two shareholdings to the remaining two directors and shareholders was agreed during the day.

## Sale of Goods & Services

- A sale of goods claim over quality and delivery of medical equipment by a manufacturer to a wholesaler; settled at a 9-hour mediation.
- Claims by householders in product liability for supplying infested pet food leading to structural damage to their house; settled after a day's mediation.
- A claim by a supplier for breach of contract in respect of delivery of signage on its UK sites against a multinational company, involving complex calculations over stock valuation and damages and difficult procedural implications in default of settlement; issues narrowed but not settled, despite considerable follow-up.
- A claim for breach of contract between art dealers over the right to sell a valuable work of art.

## Trusts, Wills and Probate

- Dispute between brothers over where to bury their late father's ashes, which had held up even an interim distribution of the estate for several years. Highly emotional case in which no direct personal communication between all the brothers was tolerable to them. Agreed terms emerged after 11 hours of mediation, although they never met at any point during the day.
- Dispute between family members over rights to properties held within a family company and said to be subject to rights of occupation for some family members, but contested by others; not settled.

## Other Dispute Resolution Experience

### Appeal Mediations

Tony was appointed to the Court of Appeal Mediation Scheme panel in 2003, and has conducted a number of such specialised cases in the personal injury and clinical negligence sectors, particularly over reviews of liability and apportionment of liability between parties and appeals over procedural defects.

### Process Design

Tony has considerable experience of designing ADR processes and schemes, having been responsible for the redesign in 2003 of the Court of Appeal Mediation Scheme, as well as being an experienced

mediator of appeal cases. He was also responsible for designing the mediation pilot for resolving second stage NHS complaints commissioned by the Healthcare Commission in 2005, and the complex mediation process that led to the settlement of the retained organs group litigation.

Much process design involves skilled intuitive appreciation of the needs of the parties particular to them and the nature of their dispute, with responses based on a wide range of experience and flexibility of thinking. Tony has deployed the whole gamut of process options ranging from mediations which take place wholly in joint meetings to cases where the parties never meet at any time, with a widely varied mix of private and joint meetings in between. He takes full responsibility for proposing process options but remaining sensitive to the wishes and needs of the parties.

### Personal Style

Tony brings flexibility of thought and experience to ensure that the process is suited to the needs of each individual case, and will always be alive to the possibility of new approaches in making resolution possible. He also tries to bring a light touch to the most sensitive and emotional of cases without in any way detracting from the seriousness of the cause of the dispute or the difficulties in resolving it, thus helping parties to cope with often profoundly painful matters constructively and thus to make closure possible at all levels. He is experienced in handling cases with an apparently serious imbalance of power between the parties, and is used to handling highly charged and emotional disputes.

He has developed particularly effective negotiating techniques for dealing with bargaining over financial compensation by using confidential communication with each party over modifications to their disclosed positions so as to ascertain true gaps, and deploying that knowledge to assist parties to bridge even substantial differences with minimal loss of face. Such techniques have closed gaps as large as £9 million.

### Feedback – Clients (taken by CEDR)

- *“Excellent, absolutely excellent. He had just the right approach and did a splendid job.”*
- *“His reputation precedes him and he was able to live up to it on the day.”*
- *“Tony did it again! Mediation at its best.”*
- *“Tony inspired confidence in the process...he understands the mediation game and plays it well.”*
- *“Tony was very sharp. He really knew what he was talking about and was quick to pick up the main issues. He was approachable and highly competent.”*

- *“Tony was brilliant. We were very impressed with the way he analysed issues and reconciled people’s concerns.”*
- *“Tony could talk on the level with QCs and equally with clients. His attention to detail was amazing.”*
- *“Tony is an affable, relaxed and friendly man. But he can be firm and evaluative when he needs to be.”*
- *“Good rapport with all sides and especially the client... grasped the issues very quickly.”*
- *“Tony worked very hard. He took a robust and challenging approach which was right and proper in this case.”*
- *“It was quite clear that he had come to terms with the issues and assimilated a large amount of information in a short space of time. He dealt with the mediation in a logical and well thought-out way.”*
- *“It was a classic case where a sensible mediator, thoroughly prepared and with exactly the right touch, made (perhaps) all or (certainly) much of the difference between achieving and not achieving a sensible compromise.”*
- *“He always has a very good grasp of all the technical issues and is able to deal with the broader picture. He is very personable and his style is always just right. His knowledge both from a legal point of view and of the mediation process is first rate.”*
- *“absolutely the best mediator I’ve come across.”*
- *“...very pro-active - not proactive though in trying to influence anyone.”*
- *“I would definitely be happy to use Tony “again and again and again”!”*
- *“...this case [which] involved virtually everything that makes litigation difficult to settle: high emotional levels, a challenging/forceful counsel (in at least one case), insurance parties operating behind the scenes, and settlement efforts being initiated only in the late stages of litigation after each side had invested heavily in the dispute. Not only was Tony at home and at ease in navigating this minefield, he was superbly capable of putting the parties themselves at ease and helping them overcome these barriers.”*
- **Claimant lawyer:** *“Tony was very good at engaging [my] client: he made her feel the mediation was about her and that her views were listened to and taken seriously – she had her say.”*

**Defendant lawyer in the same case:** *“Tony Allen was excellent and handled the issues very well. It was a case that had to be settled but [I] wasn’t optimistic going into the mediation as the parties were so far apart in both quantum and the issues involved. He*

would most certainly have gone to court had the mediation not reached settlement. Tony handled the defendant, a surgeon, extremely well with the right level of sensitivity to the fact that he was reluctant to pay anything, given he felt he'd done nothing wrong."

- "He understood issues – well prepared, good deft touch – dealt with everyone appropriately. The claimants were there which made things very emotional at times and Tony was very good at managing this. Realistic; facilitative; clearly thinking about the issue as he was bringing up points that even their QC hadn't thought of."
- **A claimant:** "Tony gets 12 out of 10 in my book. At the end honour was satisfied. I thought he was very friendly and open. Tenacious! The most energetic and enthusiastic mediator I have ever come across from the beginning to the very end! I would use him again and recommend him as well. I honestly couldn't hold him in higher esteem."

**Defendant lawyer in the same case:** "...absolutely excellent! He was definitely the best mediator I've come across. He took a very pro-active role He really earned his money. A lot of mediators just seem to sit there. He was very pro-active - not proactive though in trying to influence anyone."

- "We have used him two or three times before and would recommend him to anyone. I actually didn't think this mediation would settle but it did! I guess it was thanks to him."
- **Client in employment facilitation:** "Tony took time to be fully briefed but did not allow that briefing to "paralyse" his efforts at mediation, i.e. he did not assume that what he knew rules out various possibilities. He managed to get two very intransigent people, whose relationship appeared almost irreparably to have broken down, both to respond positively to mediation and each other and to come up with a way forward that I was very agreeably surprised to find. He was clearly extremely skilled at bringing out the best of both these individuals. mentoring and coaching by an earlier consultant who I rated highly simply failed to get anything like the response that Tony secured."

**Party in the same case:** "Tony really gripped the issues and the peripheral difficulties that had prevented an in-house solution to the problems. He thoroughly demonstrated an invaluable insight into what makes individuals tick, and his use of shuttle diplomacy between the injured parties was a master stroke. Thank you for bringing sunshine back to the workplace."

- **Claimant's solicitor in a clinical claim:** "... a very experienced mediator who was well prepared: very good with the family as it involved a fatal case – [he] made the family feel like [the] main focus.

**Defendant's solicitor in the same case:** [he] got on well with the claimant's family. Without him it wouldn't have settled.... A lot of experience and well regarded."

## Feedback – Directories

- *“fantastic – he balances a positive charming manner with some real steel in causing parties to face challenging aspects of the case. Sources praise his collected and sanguine approach, highlighting his very calming influence.”*
- *“a well respected mediator, frequently entrusted with emotionally charged and commercially sensitive mediations. He is particularly well known for his able handling of personal injury and professional negligence claims.”*
- *"Authoritative but courteous," Allen is a firm favourite for personal injury and clinical negligence mediations. Instructing solicitors are full of praise for his "smoothing manner in multiparty cases," noting that he "effectively works his way through seemingly irresolvable disputes."*
- *Allen remains an extremely highly regarded mediator with expertise in personal injury, clinical negligence and public law disputes. He also handles a number of commercial disputes, especially where there is an insurance element. Interviewees say he is "a wonderful mediator, loved by clients and very personable and congenial."*
- *Tony Allen of CEDR Solve is a mediator of rare qualities. He has a 'warm, avuncular style' and radiates 'commitment' and 'calm'. While handling various types of dispute, his experience in practice makes him one of the go-to mediators for complex personal injury and clinical negligence disputes.*
- *“acts on an array of personal injury and clinical negligence matters. Praised by instructing solicitors, he is noted for his amenable client-facing manner and his great communication skills.”*
- *This highly experienced mediator is a market leader in clinical negligence and also has expertise in personal injury disputes. He is noted as a “proactive and intelligent mediator who is particularly good at keeping up the momentum of a mediation” and is praised for his “effective but gentle manner”. He is regularly appointed on matters involving highly emotive subjects and technical complexity.*

Extracts from Chambers & Partners Guide to the Legal Profession and The Legal 500

## Professional Skills

Tony qualified as a solicitor in 1969 after reading law at Pembroke College Cambridge, and joined Bunkers, Solicitors of Brighton & Hove where he was Head of Dispute Resolution for over 25 years.

During his career there, he has variously practised in the fields of personal injury and insurance (acting for both claimants and defendants), clinical negligence, childcare, commercial, landlord and tenant, criminal and civil advocacy and general litigation.

At CEDR Tony was responsible for promoting mediation in the personal injury and clinical negligence sectors (including the design of schemes); for reviewing and commenting on the place of ADR in the civil justice system; and also for relations with the judiciary and Government over ADR policy and CEDR's responses to consultations in these areas. He is member of the Clinical Disputes Forum.

### Publications

Tony's book *Mediation Law and Civil Practice*, a comprehensive review of mediation's place within the English civil justice system, was published in September 2013. He is also one of the co-authors of the third edition of : *Commercial Dispute Resolution* by Mackie, Marsh, Miles & Allen, published in 2007, being largely responsible for major revisions relating to the section on the law of ADR in the light of the Woolf reforms and the substantial body of case law and practice developed over the last 10 years. He also contributed a chapter to *Butterworth's Mediators on Mediation*, published in August 2005. He is an authority on ADR and civil procedure and its case law and has written extensively on the subject in professional journals and spoken at conferences in the UK and many European countries. He was described in *Advising and Representing Clients in Mediation* by Walker and Smith as "one of the most entertaining and perceptive commentators on the mediation scene".

### Training and Lecturing Experience

A member of CEDR's internationally renowned training faculty since 1997, Tony has been responsible both for training and accrediting commercial mediators from all professional backgrounds and many nations, and also training lawyers and insurers in representing clients at mediation. He has led numerous mediator training courses for CEDR in England, Ireland, Italy, Spain, Portugal, Nigeria, Pakistan, India, Hong Kong, South Africa, Rwanda, the USA, Sweden, Egypt, Lebanon, Greece and Malta, with delegates coming from much further afield. Both with CEDR and through the Civil Mediation Council, the Civil Justice Council and the Judicial Studies Board, he has taken a lead in developing mediation training for the judiciary, and has been involved in training for judges and lawyers in Scotland, Denmark and Pakistan. He has run many in-house courses and seminars for law firms, insurance companies, The Treasury Solicitor, and the Legal Services Commission. He is a visiting lecturer on ADR to the Cambridge University Law Faculty, and has also delivered seminars at University College, Birkbeck College and LSE, London University.